### UNITED STATES DISTRICT COURT WESTERN DISTRICT OF PENNSYLVANIA

ALUMINIUM BAHRAIN B.S.C.,

Plaintiff,

-against-

2:08-CV-299-DWA

ALCOA INC., ALCOA WORLD ALUMINA LLC, WILLIAM RICE, and VICTOR DAHDALEH,

Defendants.

x

# CONSENT MOTION FOR EXTENSION OF TIME TO ANSWER PLAINTIFF'S FIRST AMENDED COMPLAINT

Defendant Victor Dahdaleh ("Mr. Dahdaleh"), by and through his undersigned counsel, respectfully submits this Consent Motion for Extension of Time to Answer plaintiff Aluminium Bahrain B.S.C. ("Plaintiff")'s First Amended Complaint, and in support thereof states as follows:

- 1. On June 11, 2012, this Court issued an Opinion and Order denying Mr. Dahdaleh's motion to dismiss the Plaintiff's Amended Complaint and scheduling a status conference for June 25, 2012.
- 2. Pursuant to F.R.C.P. 12(a)(4)(A), Mr. Dahdaleh's answer to Plaintiff's Amended Complaint must be served by June 25, 2012, the same day as the ordered status conference.
- 3. On June 21, 2012, defendants Alcoa World Alumina LLC and Alcoa Inc. (together, the "Alcoa Defendants") filed a consent motion seeking an extension of time for the Alcoa Defendants to answer Plaintiff's Amended Complaint. The consent motion requests a 30-day extension on the basis that the issues in the case are complicated and that Plaintiff consented to the extension.

4. Mr. Dahdaleh's counsel have conferred with Plaintiff's counsel, and Plaintiff has agreed to a 30-day extension of time for Mr. Dahdaleh to file his answer to the Amended Complaint, consistent with the terms of the consent motion filed by the Alcoa Defendants.

WHEREFORE, Mr. Dahdaleh respectfully requests that the Court grant this Motion for Extension of Time to Answer Plaintiff's First Amended Complaint and extend the time for Mr. Dahdaleh to file his answer to the Amended Complaint to July 25, 2012.

Dated: June 21, 2012 New York, New York

#### /s/ David J. Berardinelli

David J. Berardinelli (Pa. ID No. 79204) DEFOREST KOSCELNIK YOKITIS SKINNER & BERARDINELLI 436 Seventh Avenue Pittsburgh, PA 15219 Tel. (412) 227-3100 Fax. (412) 227-3130 Respectfully submitted,

#### /s/ David C. Esseks

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Attorneys for Defendant Victor Dahdaleh

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 21st day of June, 2012, a true and correct copy of the foregoing Consent Motion for Extension of Time to Answer Plaintiff's Amended Complaint was served upon counsel for all parties who have appeared in this action, and with Clerk of Court using the CM/ECF system.

/s/ Carrie Baker Anderson